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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/619,074	07/15/2003	Toru Takayama	0756-7173	6973
31780	7590	11/29/2004	EXAMINER	
ERIC ROBINSON PMB 955 21010 SOUTHBANK ST. POTOMAC FALLS, VA 20165			KEBEDE, BROOK	
			ART UNIT	PAPER NUMBER
			2823	

DATE MAILED: 11/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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10/619, 074

EXAMINER

B. KEBEDE

ART UNIT	PAPER
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2823

20041115

DATE MAILED:

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Commissioner for Patents

Applicants' response filed on September 8, 2004 to the restriction requirement that was mailed on August 4, 2004 is non-responsive for the following reasons:

Although applicants' election without traverse of Species I in the response that was filed on September is acknowledged, applicants' election of claims 1-27 readable on Species I is incorrect because claims 1, 5, 9, 13, 17 and 21, for example, do not appear to read on Species I (i.e., it appears read on Species II).

Applicants are advised that to reply to the restriction requirement that was mailed on August 4, 2004 by including an identification of the species that is elected consonant with restriction requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a)

Since the above-mentioned response appears to be a bona fide attempt to reply, applicants are given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

Brook Kebede
Examiner
Art Unit 2823

Brook Kebede